

REMARKS AND SUBSTANCE OF INTERVIEW

These remarks are responsive to the Office Action of August 28, 2007. This reply is being timely filed with a request for a one month extension of time up to and including December 28, 2007 along with the payment of extension fees.

The Applicant thanks Examiner Guidotti for the courtesy extended to the Applicant's attorney in the interview conducted in this matter on December 20, 2007. During the interview claims 1 and 10 were discussed. The Applicant pointed to numeral 23 in Figs. 4 and 5 and to paragraph 0027 in the published application as providing support for the claim limitation "whereby flexure of the head under compression or expansion along the longitudinal axis causes a longitudinal movement of ends of the ribs with respect to each other and a lateral movement of the fingers relative to the longitudinal axis." The Applicant appreciates the Examiner's comment in her interview summary that she misinterpreted the claim term of the present application and as a result will need to conduct a revised search. The Applicant restates that Halm and Holbein do not anticipate or render obvious the claims of the present application. The Applicant does not adopt or acquiesce to the Examiner's characterization of Halm or Holbein as reflected in the interview summary, however.

Claims 1-17 are pending in this application and stand rejected. Claims 1 – 9 were objected to because the word "axis" was inadvertently deleted from line 7 of claim 1. Claims 1, 4, 5, 8, 10 and 16 stand rejected under 102(b) as being anticipated by Halm (US 5,052,071). Claims 1, 4 – 8, 10, 13, 15 and 16 rejected under 35 U.S.C. 103(a) as being unpatentable over Hohlbein (US 6,088,870) in view of Halm. Claims 1 – 3, 10 -12, and 14 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Heymann et al. (US 2,154,846) in view of Halm. Claims 9 and 17 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Hohlbein and Halm. Claims 8 and 16 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Hohlbein, Halm and Urbush (US 3,316,576).

Claims 1 and 10 each require a toothbrush with a handle having a longitudinal axis whereby flexure of the head under compression or expansion

along the longitudinal axis causes a lateral movement of the fingers relative to the longitudinal axis. The Applicant respectfully submits that none of the cited references (Hohlbein, Halm, Heyman or Urbush) discloses, teaches or suggests a toothbrush whereby flexure of the head under compression or expansion along the longitudinal axis causes a lateral movement of the fingers relative to the longitudinal axis.

For at least the foregoing reason, the Applicant respectfully submits that independent claims 1 and 10 are allowable as written. Claims 2 – 9 depend either directly or indirectly from Claim 1 and are therefore allowable. Claims 11 – 17 depend either directly or indirectly from Claim 10 and are therefore allowable.

CONCLUSION

In view of the foregoing, allowance of the pending claims is requested.

If any additional fees are required or if an overpayment has been made, the Commissioner is authorized to charge or credit Deposit Account No. 03-2455.

Respectfully submitted,

Douglas Hohlbein

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/Darrell G. Mottley/

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